

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|----------------------------|---|--------------------------|
| SELECTIVE INSURANCE | : | |
| COMPANY OF SOUTH CAROLINA, | : | |
| | : | |
| Plaintiff, | : | CIVIL ACTION NO. 14-1118 |
| | : | |
| v. | : | |
| | : | |
| HERSHEY EQUIPMENT COMPANY, | : | |
| | : | |
| Defendant. | : | |

ORDER

AND NOW, this 10th day of February, 2015, after considering the motion to dismiss filed by the defendant (Doc. No. 7), and the response in opposition to the motion filed by the plaintiff (Doc. No. 8); and the court having issued an order to show cause on June 27, 2014, in which the court *sua sponte* raised the issue of declining jurisdiction over this matter under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202, and invited the parties to brief this issue (Doc. No. 10); and the court having considered the parties' responses to the order to show cause (Doc. Nos. 12-13, 15); and the court having heard argument on this jurisdictional issue on August 12, 2014; accordingly, for the reasons set forth in the accompanying memorandum opinion and in the sound and reasoned exercise of the court's discretion, it is hereby **ORDERED** as follows:

1. This matter is **STAYED** until August 10, 2015, or until further order of court;
2. The motion to dismiss (Doc. No. 7) is **DENIED WITHOUT PREJUDICE**; and
3. The clerk of court is **DIRECTED** to place this matter into **CIVIL SUSPENSE** until further order of court.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.